

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. William K. Darden

Docket No. 5:13-MJ-1005-1

Petition for Action on Probation

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William K. Darden, who, upon an earlier plea of guilty to Driving While Impaired-Level 2, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on September 11, 2013, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall surrender North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.
4. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
5. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 7 days as directed by the probation officer, and shall abide by all rules and regulations of the designated facility.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant's case is scheduled to expire on September 10, 2014. At this time, the defendant has failed to complete his substance abuse treatment and owes \$925.00 on his fine. The defendant was laid off from work shortly after being placed on probation and has applied for disability. At this time, the defendant has completed 42 of his required 50 hours of treatment. In an effort to bring the defendant in compliance, it is recommended to extend the defendant's probation an additional six months. The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended 6 months from the expiration date of September 10, 2014 until March 9, 2015.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: July 23, 2014

ORDER OF COURT

Considered and ordered this 24th day of July, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge